Before the Federal Communications Commission Washington, DC 20554

In the Matter of)	
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Rural Call Completion) WC Docket No. 1	13–39
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Comments of the Alliance for Telecommunications Industry Solutions

The Alliance for Telecommunications Industry Solutions (ATIS) submits these comments on behalf of its Next Generation Interconnection Interoperability Forum (NGIIF) in response to the *Notice of Proposed Rulemaking (NPRM)* released February 7, 2013, and the *Public Notice*, released April 18, 2013, in the above-referenced docket. In the *NPRM*, the Federal Communications Commission (Commission) seeks comment on rules to help address problems experienced with the completion of long-distance telephone calls to rural customers. In the *Public Notice*, the Commission invites comment on the list of rural Operating Company Numbers (OCNs) that is maintained by the National Exchange Carrier Association, Inc.

ATIS supports the Commission's examination of issues pertaining to the continued provision of reliable and robust communications services to all consumers, including those in rural areas, and of ways to minimize the burden of any new reporting and record retention requirements on service providers whose call routing practices do not appear to cause significant call-completion problems. ATIS' comments do not directly address the need for or benefit of the proposed reporting requirements; these issues may be addressed by the comments of individual ATIS member companies. Instead, ATIS' comments below focus on specific aspects of the proposed reporting and record retention requirements.

I. Background

ATIS is a global standards development and technical planning organization that leads, develops and promotes worldwide technical and operations standards for information, entertainment, and communications technologies. ATIS' diverse membership includes key stakeholders from the ICT industry – wireless and wireline service providers, equipment manufacturers, broadband providers, software developers, consumer electronics companies, public safety agencies, digital rights management companies, and internet service providers.

Nearly 600 industry subject matter experts work collaboratively in ATIS' open industry committees and incubator solutions programs. Technical, operational, and business priorities are also examined by ATIS through its Technology and Operations (TOPS) Council, a group established by the ATIS Board of Directors to identify and address the ICT ecosystem's needs through focused, expedited efforts.

The ATIS NGIIF provides an open forum to encourage the discussion and resolution of industry-wide issues associated with telecommunications network interconnection and interoperability, and the exchange of information concerning relevant topics, such as network architecture, management, testing and operations, and facilities. This input addresses, and is used to develop, operational procedures associated with these emerging technologies as well as next-generation network interconnection and interoperability issues that involve architecture, disaster preparedness, installation, maintenance, management, reliability, routing, security, and testing between network operators. Participation in the NGIIF is open to all interested stakeholders and current NGIIF voting members which include: Alcatel-Lucent, AT&T, Bell Canada, CenturyLink, Creative Support Solutions/John Staurulakis, Inc., Ericsson, Hypercube, INDigital Telecom, microDATA, Office of Emergency Communications, Sprint Nextel

Corporation, T-Mobile USA, Telephone and Data Systems, Inc., TEOCO, and Verizon.

Ensuring reliable communications is a primary focus of ATIS and of its NGIIF. Since 2010, the NGIIF has had an active work program focused on understanding the scope and root cause(s) of reported call-completion problems, as well as on ways to mitigate these causes. This work has included a number of different phases:

- To help understand the nature of the problem and to identify possible source(s), the ATIS NGIIF surveyed both long-distance and rural carriers. These surveys provided insights into the nature of this problem but did not identify the root cause(s) of the call-completion problems.
- To allow the industry to openly examine the data that was received by ATIS
 through its surveys and to discuss the development of an industry handbook that
 may help address call termination challenges, ATIS held a series of workshops
 that were open to participation and input from all stakeholders, including rural
 and non-rural service providers, rural associations and public service
 commissions.
- The ATIS NGIIF established a webpage for rural carriers and other non-member stakeholders to provide input and to gain access to NGIIF discussion drafts and final deliverables.

Through this process, the NGIIF was able to identify industry practices surrounding key interconnection issues that may help mitigate call-completion problems. These practices, along with other useful information, were compiled into the ATIS Intercarrier Call Completion/Call Termination Handbook, which was published in August 2012.¹ The handbook describes new and existing industry standards and practices to assist in ensuring call-completion, such as signaling, trouble handling, and routing, including examples of potential call failure points. The handbook also lists Best Practices that may be useful in addressing call-completion problems, some of which are cited by the Commission in its *NPRM*.²

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¹ ATIS Intercarrier Call Completion/Call Termination Handbook (ATIS-0300106). This handbook is available for download free of charge at http://www.atis.org/docstore/product.aspx?id=26780.

² *NPRM* at ¶33.

The NGIIF is continuing its work to address call termination issues, focusing on two distinct areas. First, the ATIS NGIIF continues to seek and receive input on its handbook and will work to update it as appropriate. Second, the NGIIF is also working collaboratively with the rural associations on call-completion testing.

This work was not undertaken because of a regulatory mandate but because the organizations participating in ATIS and its NGIIF take seriously their obligations to provide reliable service to all consumers. The provision of reliable communications is the core business of NGIIF members and their commitment to ensuring that their customers can successfully complete calls is vitally important to them, particularly given the competitive communications marketplace that exists today. In an environment where many consumers can choose from a variety of different communications companies, including wireless, traditional wireline and over the top VoIP providers, a provider that fails to complete a subscriber's call will risk losing that subscriber.

II. Comments

A. Reporting and Recordkeeping

In the *NPRM*, the Commission seeks comment on proposed reporting and recordkeeping requirements. Under the proposed requirements, facilities-based originating long-distance providers would be required to measure the call answer rate for each rural OCN to which 100 or more calls were attempted during the calendar month.³ Service providers would be required to electronically file data with the Commission on a quarterly basis.⁴ As noted below, the ATIS

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³ *NPRM* at ¶20.

⁴ *Id*.

NGIIF urges the Commission to take steps to minimize the burden of the proposed reporting and recordkeeping requirements.

100-Call Threshold. In the NPRM, the Commission asks for input regarding the appropriateness of the 100-call threshold.⁵ While ATIS supports the Commission's efforts to identify a reasonable threshold, ATIS points out that, with any threshold, carriers will need to collect the data in order to determine whether the threshold is exceeded. ATIS also notes that with a small number of calls proper statistical estimation of the difference between call completion to a particular OCN and overall call completion may be difficult.

Measurement Intervals. The Commission seeks comment on whether a monthly measurement interval would data mask problems that a weekly data interval would capture.⁶ ATIS opposes reducing the reporting interval to less than a calendar month. Shorter reporting intervals, such as weekly intervals, would significantly increase the already substantial burden of the proposed rules. Moreover, there is no evidence to indicate that the increased granularity of the data is necessary to allow the Commission to effectively compare an originating service provider's performance.

Reporting Intervals. The NPRM also solicits input regarding the proposed requirement that service providers submit electronic reports on a quarterly basis detailing the monthly call-completion rates for that calendar quarter. ATIS urges the Commission to require reporting no more frequently than on a quarterly basis. ATIS further recommends the deadline for the filing of these reports be no earlier than forty-five (45) days after the close of the calendar quarter to allow service providers sufficient time to prepare and review reports prior to submission.

⁵ *NPRM* at ¶21.

⁶ *Id*.

⁷ *Id*.

B. Exclusions

In the *NPRM*, the Commission seeks comment on whether to exclude certain types of traffic from the proposed reporting and record retention requirements. For instance, the Commission asks whether auto-dialer traffic should be excluded from traffic sources, noting that some carriers may carry large amounts of such data on behalf of retail business customers that may have different call-completion expectations and capacity requirements. While the exclusion of auto-dialer traffic may be beneficial and would be supported by the ATIS NGIIF, the NGIIF notes that it is not feasible to distinguish auto-dialer traffic from other telecommunications traffic.

C. Safe Harbors

To lessen the burden of compliance with the rules, the Commission has proposed two safe harbors that would relieve service providers of some or all of the proposed reporting and recordkeeping requirements. ATIS strongly supports the adoption of safe harbors that will minimize the burden of the reporting rules on carriers that can demonstrate through application of Best Practices or through call-completion data that their call routing practices do not appear to cause significant call-completion problems.

ATIS notes that one of the safe harbors is based on the work of the ATIS NGIIF in its Call Completion/Call Termination Handbook, which stated that "[s]ome carriers have found it useful to limit underlying carriers to including no more than one additional provider (not including the terminating carrier) in the call." While ATIS supports this safe harbor, ATIS

⁸ *NPRM* at ¶26.

⁹ NPRM at ¶¶32-36.

¹⁰ ATIS Intercarrier Call Completion/Call Termination Handbook, Section 5.1.

recommends that the commission also consider whether there may be other measures carriers can take that should constitute safe harbors.

D. List of Rural OCNs

ATIS notes that the proposed reporting requirements are predicated on the maintenance of an accurate and up-to-date list of rural OCNs. ATIS therefore supports the Commission's efforts to solicit input regarding the accuracy and completeness of this list as requested in the above-referenced *Public Notice*. While ATIS' comments do not address the accuracy of the list, ATIS does recommend that the Commission ensure that the list remains publicly available and suggests that the Commission consider posting this list on the Commission's website. At a minimum, all companies would need access to changes as the list is updated.

ATIS also recommends that any changes to the rural OCN list be posted sufficiently in advance to allow service provider to update their internal routing tables to allow for the collection of data based on the revised list. Reporting by service providers based on a revised rural OCN list should be required on a certain date that aligns with the reporting cycles. If, for example, reporting is required as proposed on a calendar month, any revisions should be posted for a minimum amount of time (i.e. 30 days) and reporting by service providers based on the revised list should be required no earlier than the first full calendar month following this review period.

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¹¹ The ATIS standard entitled Codes for Identification of Service Providers for Information Exchange (ATIS-0300251.2007) defines Company Codes, which are assigned to service providers for unique identification and used throughout the ICT industry to facilitate the exchange of information. Company Code data is the basis for an OCN.

E. Sunsetting of Reporting and Recordkeeping Rules

Finally, the Commission notes that, in its USF/ICC Transformation Order, ¹² it has adopted rules that may address the root causes of many rural call-completion problems. ¹³ The Commission therefore seeks comment on whether the proposed call-completion reporting and recordkeeping rules should expire at the end of the intercarrier compensation reform transition period. ¹⁴ ATIS supports the sunsetting of any new reporting rules that may be adopted when these rules are no longer necessary. ATIS recommends therefore that the Commission eliminate the new rules when they are no longer needed or at the end of the intercarrier competition report transition period, whichever comes first.

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¹² Connect America Fund, A National Broadband Plan for Our Future, Establishing Just and Reasonable Rates for Local Exchange Carriers, High-Cost Universal Service Support, Developing an Unified Intercarrier Compensation Regime, Federal-State Joint Board on Universal Service, Lifeline and Link-Up, Universal Service Reform—Mobility Fund, WC Docket Nos. 10-90, 07-135, 05-337, 03-109, CC Docket Nos. 01-32, 96-45, GN Docket No. 09-51, WT Docket No. 10-208, Report and Order and Further Notice of Proposed Rulemaking (released November 18, 2011).

¹³ *NPRM* at ¶37.

¹⁴ *NPRM* at ¶38.

III. Conclusion

ATIS appreciates the opportunity to provide its comments on the *NPRM* and *Public Notice* in this docket. ATIS supports the Commission's efforts to minimize the burden of any new reporting and record retention requirements on service providers whose call routing practices do not appear to cause significant call-completion problems and urges the Commission to ensure that its new rules are practically and technically feasible. ATIS also recommends that the rural OCN list remains publicly available and that any reporting by service providers based on a revised rural OCN list be required on a certain date that aligns with the reporting cycles. Finally, ATIS urges the Commission to sunset the new rules when they are no longer needed or at the end of the intercarrier competition report transition period, whichever comes first.

Respectfully submitted,

The fal

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